



# IN THE COURT OF CRIMINAL APPEALS OF TEXAS

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NO. PD-0347-15

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**MICHAEL W. BOHANNAN, Appellant**

**v.**

**THE STATE OF TEXAS**

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**ORDER REGARDING REPRESENTATION  
MONTGOMERY COUNTY**

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*Per curiam.*

## **O R D E R**

Appellant was convicted of violation of civil commitment in cause number 12-10-109353CR in the 435th District Court of Montgomery County. Appellant was sentenced to confinement for life. The court of appeals affirmed the judgements of the trial court. Bohannan v. State, No. 09-13-00090-CR (Tex. App. — Beaumont, delivered October 29, 2014). On November 2, 2016, the Court granted discretionary review on its own motion on the issue “Can a conviction for violating a civil commitment order be upheld when the underlying commitment order has been reversed on appeal?”

Appellant is entitled to representation before this Court at this time. See Article 1.051(a)(d)(2), V.A.C.C.P. It appears that Appellant is without representation in this Court. Accordingly, the trial court is ordered to determine if Appellant is currently represented by counsel, and if so, to inform this court who represents Appellant. If Appellant is not currently represented by counsel and desires counsel, the trial court must first determine whether Appellant is indigent. If the trial court finds Appellant is indigent, that court shall appoint an attorney to represent Appellant before this court in regard to PDR No. PD-0347-15, in accord with the provisions of Articles 1.051 and 26.04, V.A.C.C.P. Any hearing conducted pursuant to this order shall be held within 30 days of the date of this order. The trial court's order appointing counsel, any findings of fact, affidavits, or transcription of the court reporter's notes and any other supplementation of the record shall be returned to this court within 45 days of the date of this order.

IT IS SO ORDERED THIS THE 3<sup>rd</sup> DAY OF NOVEMBER, 2016

DO NOT PUBLISH